THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.5345 of 2007

Between:

S.Surendra Reddy and another. … Petitioner

and

The Commissioner of Prohibition
and Excise,
and another. … Respondents

ORDER:

It is the case of the petitioners that pursuant to the Gazette Notification issued by the Collector and District Magistrate, Chittoor District, for conducting auction to grant lease of right to sell Indian made Foreign Liquor/Foreign Liquor by shop under Rule 5 of the Andhra Pradesh Excise (Lease of Right of Selling by shop and conditions of license) Rules, 2005, the petitioners participated in the auction on 07-08-2006 and became highest bidders in respect of the shop notified in Gazette Serial No.227 situated at Ward No.11, Mutyalareddypally Panchayat, S.V.Nagar main road, Tirupathi, for the offered amount of Rs.9,54,009/-, as against the upset price of Rs.9,36,100/-.

It is stated that the petitioners paid 1/6th of the tender amount on 07-08-2006 and, accordingly, proceedings were issued in favour of the petitioners to that effect.

It is further stated that the petitioners complied with certain formalities by selecting suitable premises and they are ready to complete all the formalities. But, the respondents have not issued licence, so far, and no reasons have been communicated.

It is further stated that the petitioners made a representation, dated 12-02-2007, before the 2nd respondent and the same has not been considered so far.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation of the petitioners, dated 12-02-2007, in accordance with law, within a period of ten days from the date of receipt of

a copy of this order. There shall be no order as to costs.

_____

15-03-2007

Note:

Issue C.C. by tomorrow

(B/o)

Prv